

UNITED STATES COURT OF APPEAL  
FOR THE SIXTH CIRCUIT FORM THE  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FILED (I)

2015 APR 14 P 3:17

James H. Goodman Jr.  
Creditor/Objector

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

V  
In re

Chapter 9  
Case No. 13-53846  
Magistrate Judge:  
Thomas J. Tucker

CITY OF DETROIT, MICHIGAN,  
Debtor/  
\_\_\_\_\_ /

**OBJECTION TO NOTICE OF MOTION OF THE CITY OF  
DETROIT, PURSUANT TO SECTIONS 105(a) AND 502(c) OF THE  
BANKRUPTCY CODE AND BANKRUPTCY RULE 3021, FOR AN  
ORDER APPROVING RESERVE AMOUNT FOR CERTAIN DIS-  
PUTED OR UNLIQUIDATED UNSECURED CLAIMS IN CON-  
NECTION WITH DISTRIBUTIONS TO BE MADE UNDER THE  
EIGHTH AMENDED PLAN FOR THE ADJUST-MENT OF THE  
CITY OF DETROIT**

NOW COMES the above creditor/objector in this response object to  
the document disguised as a notice pursuant to Section 105(a) and 502(c) of  
the bankruptcy code and bankruptcy rule 3021 for an order approving  
reserve amount for certain disputed or unliquidated unsecured claims in  
connection with distributions to be made under the Eighth Amended Plan



for the Adjustment of the city of Detroit and for the following reasons:

1) The Plan of Adjustment, confirmation of the plan and any thing connected or stemming from the plan of Adjustment was not filed in good faith and has to complied with the bankruptcy code and rules 11 USC 923 governing the notice. There have been numerous objections to method of your way of so called notifying people in the following objection Docket Number: 8306, 8233, 8314, 8428 8310.

2) I have not been legally notified personally or publicly and a associate just stumble across it on the internet. We have not been notified and most the people contacted have not received a notice and more time is need to consult legal assistant and advice.

3) We object further to this notice also because there never was a legal vote on the plan the only attempt was with counterfeit ballots and violation of the election laws. The plan of adjustment and confirmation of the plan was unconstitutional and deprived and denied us Basic Civil Right 42 USC 1983 and due process of law of the 5th and 14th Amendments of the Constitution of the United States.

2) We also objected to the impairment and diminishing the health care and pension benefits that is protected by Article 9 Section 24 Constitution of



the State of Michigan and the 10th Amendment of the Federal Constitution.

3) The pension has double from two and half (2 1/2) billion to four and half to five (4 1/2) to 5 Billion from 2012 to 2014.

4) We never had a hearing and as stated above no notice as well and this violated the Supreme Court Decision a person must have timely and adequate notice detailing the reasons for the notice and an effective opportunity to defend. *Goldberg v. Kelly* 397 U.S. 254 (1970) citing *Armstrong v. Manzo*, U.S. 545, 552 (1965).

5) We object and disagree with your letter because the so-called Recoupment and it doesn't apply to me or any other retirees and/or pensioners because there no grounds to recoup. The word recoupment means "It is keeping back something which is due because there is an equitable reason to withhold it; and is uniformly applied where a man bring an action for breach of a contract between him and the defendant; and where the latter can show that some stipulation in the same contract was made by the plaintiff, which he has violated, the defendant may, if he choose, instead of suing in his turn, recoupe his damages arising from the breach committed by the plaintiff. *Ives v. Van Eppes* 22 Wend, N.Y. 156. And see *Barber v. Chapin*, 28 Vt. 413 *Black's Law Dictionary* revised 4th Edition. We don't



owe anything and have not agree to pay anything and their is no contract of recoupment.

WHEREFORE and all the above facts and law we Object to this notice Section 105(a), 502(c) and Bankruptcy Rule 3021 and request that this notice be voluntary rescinded, withdrawn or cancel or be declared null and void because of its failure to be presented in good faith and failure to comply with the Bankruptcy Rules and code and contravening due process of the law.

Sincerely submitted

James H. Goodman Jr.  
Name interest party/creditor/objector

Address: 3230 W. OUTER DR.

City and state DETROIT, MI. 48221

Date 4-14-15



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

2015 APR 14 P 3:17

HASSAN ALEEM

Name

v

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

In re:

CITY OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN D. ORR

Chapter 9

Case No. 13-53846

Magistrate judge:

Thomas J. Tucker

Debtor

\_\_\_\_\_ /

**PROOF OF SERVICE**

Carl Williams, being first duly sworn deposes and

Say that on April 14 2015. I sent a copy of Response to Notice of motion of the City of Detroit, pursuant to section 105(a) and 502 (c) of the bankruptcy code and Rule 3021 to be included for order approving reserve amount for certain disputed or unliquidated unsecured claims in connection with distributions to be made under the Eighth amended plan of adjustment of the city of Detroit of Magistrate Judge Thomas J Tucker, upon the concern parties by certified mail at the following address:



Heather Lennox (OH 0059649)  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl Williams